

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHICAGO & VICINITY LABORERS’)
DISTRICT COUNCIL PENSION FUND, et al.)
) **Case No. 20 C 5456**
Plaintiffs,)
v.) **Judge Alonso**
) **LEMONT PAVING CO., an Illinois**)
corporation, and LEMONT ASPHALT Co.,)
an Illinois corporation)
Defendants.)

AGREED STIPULATION TO DISMISS

Now come Plaintiffs, Chicago & Vicinity Laborers' District Council Pension Fund, Chicago & Vicinity Laborers' District Council Welfare Fund, Chicago & Vicinity Laborers' District Council Retiree Health and Welfare Fund, and Catherine Wenskus, Administrator of the Funds (hereinafter collectively the "Funds"), by and through their attorney, Amy Carollo, and Lemont Paving Co. and Lemont Asphalt Co. (hereinafter collectively "Lemont"), by and through its attorney, Brian Jackson, and hereby submit the following Agreed Stipulation to Dismiss. In support of this Agreed Stipulation to Dismiss, the Parties state as follows:

1. The Parties reached a settlement in this case pursuant to the terms of a Settlement Agreement.
2. Pursuant to terms of the settlement, the Parties respectfully request that the Court dismiss with prejudice, except that the dismissal is without prejudice to the rights of Funds and the Construction and General Laborers' District Council of Chicago and Vicinity ("Union") to enforce their rights under the Affidavit and Agreement of Indemnification entered into by the Parties as part of the settlement.
3. The Parties further request each Party bears its own attorneys' fees and expenses.

WHEREFORE, the Parties respectfully request that the Court dismiss this matter with prejudice.

Dated: October 8, 2021

Respectfully submitted,

Laborers' Pension Fund, et al.

By: /s/ Amy Carollo

Amy Carollo
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Lemont Paving Co. and Lemont Asphalt Co.

/s/ Brian Jackson
Attorney for the Defendants

Laner Muchin Ltd.
515 North State Street, Suite 2800
Chicago, Illinois 60654

CERTIFICATE OF SERVICE

The undersigned attorney of record certifies that she caused a copy of the foregoing Agreed Stipulation to Dismiss to be served upon the following individual via the Court's electronic notification system on this 8th day of October, 2021.

Brian Jackson
Laner Muchin Ltd.
515 North State Street, Suite 2800
Chicago, Illinois 6065

By: /s/ Amy Carollo